

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **FELIX FONTANEZ CABALLERO**
SSN xxx-xx-6729

CASE NO: **18-02206-BKT**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **04/25/2018**

First Meeting Date: **05/30/2018 at 9:00AM**

Days From Petition Date: **35**

341 Meeting Date: **05/30/2018 at 9:00AM**

910 Days Before Petition: **10/28/2015**

Confirmation Hearing Date: **07/13/2018 at 2:30PM**

Chapter 13 Plan Date: **04/25/2018** ☐ Amended

Plan Base: **\$7,800.00** Plan Docket # **3**

This is Debtor(s) 2 Bankruptcy petition.

This is the 1 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$130.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

☐ Examined ☐ Not Examined under Oath

Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): _____

☐ Pro-se

☒ Creditor(s) Present ☐ None

TREASURY- VELEZ; BPPR-RIVERA

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$232.00** Outstanding (Through the Plan): **\$2,768.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: \$ N/A

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 0 %§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ____ DAYS

§341 Meeting Rescheduled for: _____

Comments:

*CREDITOR(S) ORAL OBJECTIONS [LBR 3015-2 (c)(4)]

-No objections

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with plan scheduled distribution or no sufficient information to determine it.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

- Fails to disclose income.

- Debtor has failed to list his wife food stamps in Schedule I. Debtor is not married under prenuptial agreement.

Adequate Protection Payments

- Section 3.6 of the plan: Pre-Confirmation Adequate Protection Monthly Payments ("APMP") to be paid by the Trustee. The adequate protection payments must be listed in section 3.6 of plan not in the non-standard provision section of the plan (Section 8.1.)

- Plan fails to provide adequate protection payments to Popular Auto.

*OTHER COMMENTS / OBJECTIONS

- Debtor has failed to include wife's information in line 2 of Schedule H.

/s/ Jose R. Carrion, Esq. Meeting Date: May 30, 2018
Trustee

/s/ Mayra Arguelles, Esq., Presiding Officer